

Bradford K. Newman (178902)
bradford.newman@bakermckenzie.com

Alexander G. Davis (287840)
alexander.davis@bakermckenzie.com

Anne Kelts Assayag (298710)
anne.assayag@bakermckenzie.com

BAKER & McKENZIE LLP

600 Hansen Way
Palo Alto, CA 94304
Telephone: +1 650 856 2400
Facsimile: +1 650 856 9299

Teresa H. Michaud (296329)
teresa.michaud@bakermckenzie.com

Kirby Hsu (312535)
kirby.hsu@bakermckenzie.com

BAKER & McKENZIE LLP

1901 Avenue of the Stars, Suite 950
Los Angeles, CA 90067
Telephone: +1 310 201 4728
Facsimile: +1 310 201 4721

Attorneys for Defendant
GOOGLE LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

JOHN COFFEE, MEI-LING MONTANEZ,
and S.M., a minor by MEI-LING
MONTANEZ, S.M.'s parent and guardian, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No. 5:20-cv-03901-BLF

Date Action Filed: June 12, 2020

**DECLARATION OF TERESA H.
MICHAUD IN SUPPORT OF
GOOGLE LLC'S MOTION TO
DISMISS UNDER RULE 12(B)(6)**

Date: November 19, 2020

Time: 9:00 a.m.

Ctrm.: 3 - 5th Floor

Judge: Hon. Beth Labson Freeman

**Robert F. Peckham Federal Building &
United States Courthouse
280 South 1st Street
San Jose, CA 95113**

1 I, Teresa H. Michaud, declare and state as follows:

2 1. I am an attorney at law duly admitted to practice before this Court and the Courts of
3 the State of California. I am a partner with the law firm of Baker & McKenzie LLP, counsel of
4 record for Defendant Google LLC (“Google”) in this case. I make this Declaration in support of
5 Google’s Request for Judicial Notice in connection with its Motion to Dismiss Under Rule 12(b)(6).
6 I am the lead attorney at Baker & McKenzie LLP involved in handling this case on behalf of Google
7 and have been since the inception of the case. As such, I have personal knowledge of the matters set
8 forth in this Declaration and, if called as a witness, could and would testify competently thereto.

9 2. Attached as **Exhibit A** is a true and correct copy of the February 5, 2018 version of
10 the Google Play Terms of Service, as it appeared on August 6, 2020. This version of the Google
11 Play Terms of Service is publicly available at [https://play.google.com/intl/en-us_us/about/play-](https://play.google.com/intl/en-us_us/about/play-terms/archive/)
12 [terms/archive/](https://play.google.com/intl/en-us_us/about/play-terms/archive/).

13 I declare under penalty of perjury under the laws of the United States that the forgoing is true
14 and correct.

15 Executed this 7th day of August, 2020, at Los Angeles, California.

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17 /s/ Teresa H. Michaud
18 Teresa H. Michaud
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